

FINAL STATEMENT OF REASONS

The California Department of Corrections and Rehabilitation (CDCR) proposes to amend Section 3605 of the California Code of Regulations (CCR), Title 15, Division 3, concerning Financial Assistance. Providing financial assistance to the identified population has been a long standing practice by the CDCR and changes in terminology were made to existing text to ensure consistency with existing procedures. These proposed regulations clarify the process as provided for in Penal Code (PC) Section 5060.

Article 8 title is amended to now read Financial Assistance.

Existing Section 3605 title is amended to correctly identify the type of assistance provided and to be consistent with other language provided in this Section.

Existing Subsection 3605(a) is amended to change the reference from “cash” to “financial” which more accurately represents the type of comprehensive assistance that is provided to the inmate/parolee. This may include securing financial assistance for the purpose of preparing for employment, the purchase of tools, provide loans, or other assistance that is deemed proper. This also provides consistency with other language provided in this Section.

Existing Subsections 3605(b) through 3605(c) are unchanged.

Existing Subsection 3605(c)(1) is amended to delete any exclusionary reference relative to when a parole agent must obtain supervisory approval. This is necessary in order to reflect the correct and current approval process for providing financial assistance.

Existing Subsection 3605(c)(2) is amended to provide the correct form that is currently being used that must be signed by the recipient prior to the issuance of financial assistance, the CDC Form 910C (Rev 11/96), Bank Draft Stock Register, which is incorporated by reference into regulations. A copy of the form has been made available for public review. The reference to the CDC Form 1509 (4/82), Parolee Loan Receipt, is deleted from the text and replaced with Form 910C.

CDC Form 910C. Because there are over 1,400 forms for use within the Department and its adult operations, with the vast majority of these forms used by staff and/or internal management, the Department, pursuant to CCR, Title 1, Section 20(c)(1), has determined that it would be impractical, cumbersome, and unnecessary to publish the CDC Form 910C in the CCR. With an established form ordering and distribution process already in place, staff would have no need for, and would not utilize the CCR in order to have access to the forms and/or the documents referenced. Staff currently have the ability to obtain and utilize this form as necessary.

Existing Subsection 3605(d) is unchanged.

DETERMINATION:

The Department has determined that no alternative considered would be more effective in carrying out the purpose of this action or would be as effective and less burdensome to affected persons.

ASSESSMENTS, MANDATES, AND FISCAL IMPACT:

This action will neither create nor eliminate jobs in the State of California, nor result in the elimination of existing businesses, or create or expand businesses in the State of California.

The Department, in proposing amendments to these regulations, has not identified nor has it relied upon any technical, theoretical, or empirical study, report, or similar document.

The Department determines this action imposes no mandates on local agencies or school districts; no fiscal impact on State or local government, or Federal funding to the State, or private persons. It is also determined that this action does not affect small businesses nor have a significant adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states because they are not directly affected by the internal management of State prisons; and no costs or reimbursements to any local agency or school district within the meaning of Government Code Section 17561. The Department has made an initial determination that the proposed action will have no significant effect on housing costs. Additionally, there has been no testimony or other evidence provided that would alter the Department's initial determination.

PUBLIC HEARING COMMENTS:

Public hearing was held on June 22, 2010, at 9:00 a.m.

No one commented at the public hearing.

WRITTEN PUBLIC COMMENTS:

No written public comments were received.